

REMARKS

Claims 34-43 are pending in the subject application.

Applicant has amended claims 34, 38, and 42. The changes to these claims made herein do not introduce any new matter.

Rejection Under 35 U.S.C. § 102

Applicant respectfully requests reconsideration of the rejection of claims 34-43 under 35 U.S.C. § 102(e) as being anticipated by *Morimoto et al.* (“*Morimoto*”) (US 6,774,935 B1). As will be explained in more detail below, the *Morimoto* reference does not disclose each and every feature of independent claims 34, 36, 38, 40, 42, and 43, as amended herein.

Applicant has amended each of independent claims 34, 38, and 42 to clarify the claimed subject matter. In particular, Applicant has amended each of claims 34, 38, and 42 to specify that 1) either a personal computer or a direct printer is connected to one connection port of the first device, and 2) it is judged which one of the personal computer and the printer is connected as the second device to the connection port. In the *Morimoto* reference, it is judged whether a personal computer is connected (or not connected) to one of two connection ports and it is judged whether a direct printer is connected (or not connected) to the other of the two connection ports. As such, the *Morimoto* reference does not disclose each and every feature of the subject matter defined in present claims 34, 38, and 42.

With regard to independent claims 36, 40, and 43, as will be explained in more detail below, the *Morimoto* reference fails to establish a *prima facie* case of anticipation against the subject matter defined in these claims. Claim 36 defines a data processing method that includes, among other method operations, “transmitting, to the second device, an image data file containing image data and a control signal causing the second device to print an image based on the image data *through use of a still image capture device class and a picture transfer protocol*, after the confirming is finished.” Claim 40 defines a device that includes, among other components, a controller that causes “the communicator to transmit the image

data file and the control signal to the second device *through use of a still image capture device class and a picture transfer protocol.*” Claim 43 defines a data processing system that includes, among other components, a controller having the same features as the controller specified in claim 40.

In formulating the anticipation rejection, the Examiner has not identified any portion of the *Morimoto* reference that discloses the above-mentioned feature of the subject matter defined in claims 36, 40, and 43. Moreover, as understood by Applicant, the *Morimoto* reference does not in fact disclose the above-mentioned feature of the subject matter defined in claims 36, 40, and 43. Thus, for at least this reason, the *Morimoto* reference does not disclose each and every feature of claims 36, 40, and 43, and therefore fails to raise a *prima facie* case of anticipation against these claims.

Accordingly, for at least the foregoing reasons, independent claims 34, 36, 38, 40, 42, and 43, as amended herein, are patentable under 35 U.S.C. § 102(e) over *Morimoto*. Claims 35, 37, 39, and 41, which respectively depend from claims 34, 36, 38, and 40, are likewise patentable under 35 U.S.C. § 102(e) over *Morimoto* for at least the same reasons set forth above regarding the applicable independent claim.

Conclusion

In view of the foregoing, Applicant respectfully requests reexamination and reconsideration of claims 34-43, as amended herein, and submits that these claims are in condition for allowance. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6902**.

If any fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. NGBCP006).

Respectfully submitted,
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